



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

April 13, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#42 APRIL 13, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**SIERRA HIGHWAY FROM STATE ROUTE 14 TO PEARBLOSSOM HIGHWAY
DELEGATE AUTHORITY TO ADOPT, ADVERTISE, AND AWARD
ROADWAY WIDENING AND RECONSTRUCTION PROJECT
IN THE UNINCORPORATED COMMUNITY OF ACTON
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action is to approve a project to widen and reconstruct Sierra Highway between State Route 14 and Pearblossom Highway in the unincorporated community of Acton. This action is additionally to delegate to the Director of Public Works or her designee the authority to adopt plans and specifications; advertise for competitive bidding to construct the project; award, execute, and implement a consultant services agreement with the apparent lowest responsible, responsive bidder for preparation of a baseline construction schedule, stormwater pollution prevention plan, site-specific health and safety plan, and soil management plan and report for a not-to-exceed fee of \$25,000; award and execute a construction contract with a responsible contractor with the lowest responsive bid at an estimated construction contract cost between \$3,000,000 and \$4,100,000; and execute and implement an Offsite Replacement Habitat Implementation Agreement for the Mohave Ground Squirrel, a State listed threatened species, with the Desert Tortoise Preserve Committee for this project at an estimated cost of \$100,000.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the project and delegate to the Director of Public Works or her designee the authority to adopt plans and specifications and advertise for competitive bidding for this project in the unincorporated community of Acton at an estimated construction contract cost between \$3,000,000

and \$4,100,000.

2. Authorize the Director of Public Works or her designee to award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule, a stormwater pollution prevention plan, site-specific health and safety plan, and soil management plan and report for a not-to-exceed fee of \$25,000 funded by existing project funds.
3. Authorize the Director of Public Works or her designee to award and execute a contract with the apparent responsible contractor with the lowest responsive bid, so long as the bid amount does not exceed the estimated \$3,000,000 to \$4,100,000 cost range for the project, approve the Faithful Performance and Labor and Material bonds and insurance submitted by the contractor, and take all other actions necessary and appropriate to fully deliver this project.
4. Authorize the Chief Executive Officer to permit the Director of Public Works or her designee to award and execute the contract for this project if the lowest responsive bid exceeds the estimated cost range, if the Chief Executive Officer finds that additional and appropriate funds have been identified.
5. Approve and authorize the Director of Public Works or her designee to sign an Offsite Replacement Habitat Implementation Agreement between the Desert Tortoise Preserve Committee and County of Los Angeles at a not-to-exceed cost of \$100,000. The Offsite Replacement Habitat Implementation Agreement provides for purchase of Mohave Ground Squirrel Habitat.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to obtain approval of the project and carry out accelerated delivery of the roadway widening and reconstruction project on Sierra Highway from State Route 14 to Pearblossom Highway. This project was initiated pursuant to Board action on October 2, 2007. The recommended action is necessary to keep this project on an expedited schedule for construction by delegation of authority to the Director of Public Works (Director) or her designee to adopt plans and specifications and advertise the project for bids following issuance of a finding by the California State Department of Fish and Game on whether the project impacts to the Mohave Ground Squirrel have been mitigated or avoided. The recommended Item No. 5 is to comply with mitigation requirements of the project Environmental Impact Report (EIR).

On July 15, 2008, Agenda Item 34, your Board approved the EIR and the Mitigation Monitoring and Reporting Program for this project. The EIR identified suitable habitat for the Mohave Ground Squirrel, a state-listed threatened species, in an area of 1.6 acres impacted by the road widening. Impacts to the Mohave Ground Squirrel habitat will be mitigated through a proposed agreement with the Desert Tortoise Preserve Committee. The recommendations contained herein will allow the Department of Public Works (Public Works) to advertise the project as expeditiously as possible and accelerate delivery of this project.

The proposed consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule, stormwater pollution prevention plan, site specific health and safety plan, and soil management plan and report that conforms to County of Los Angeles' (County) specifications is critical to successfully manage construction activities by both the contractor and the County. The apparent responsible contractor must be able to produce these deliverables. Bid specifications provide that if the contractor fails to complete

acceptable deliverables, Public Works may return to the Board to recommend that the contractor be determined nonresponsible and recommend award of the construction contract to the next lowest bidder contingent on the bidder completing deliverables that conform to the County's specifications.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The recommended actions will help meet these goals by accelerating the delivery of this project to benefit the communities and traveling public and improve their quality of life.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$3,000,000 and \$4,100,000.

The project cost will be financed with State Proposition 1B transportation bond funds under the Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006. Funding for this project is included in the Fifth Supervisorial District's Road Construction Program in the Fiscal Year 2009-10 Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Delegating to the Director or her designee the authority to adopt the plans and specifications; advertise for bids; award, execute, and implement a consultant services agreement for preparation of a baseline construction schedule, stormwater pollution prevention plan, site-specific health and safety plan, and soil management plan and report; award and execute a construction contract; and execute and implement an agreement for environmental impacts mitigation will allow an accelerated process for delivery of the project. The contract agreement will be in the form previously reviewed and approved by County Counsel.

The authority delegated in Recommendation No. 3 will allow the Director or her designee to award a contract within the project's bid range. In the event that the lowest responsive bid exceeds the bid range, Recommendation No. 4 will allow the project to be awarded if deemed appropriate and in the County's best interest by the Chief Executive Officer (CEO). Prior to any out-of-range award, the Director or her designee will notify the CEO and the Fifth Supervisorial District of the intended funding source to finance the cost increase. The CEO will evaluate the funding and decide if the project should be awarded or have the matter brought before the Board for consideration.

Section 20395 of the State Public Contract Code allows the Board the ability to delegate authority to the Director or her designee to carry out all aspects of these projects consistent with the recommendations contained herein. Granting this authority to the Director or her designee will accelerate delivery of this road widening and reconstruction project.

ENVIRONMENTAL DOCUMENTATION

On July 15, 2008, Agenda Item 34, the Board approved the EIR and the Mitigation Monitoring and Reporting Program for this project. The EIR found that the project with the recommended mitigation measures will not have a significant effect on the environment in accordance with the provisions of the California Environmental Quality Act.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by providing improved highway facilities for the traveling public thereby benefiting the community.

CONCLUSION

Please return one adopted copy of this letter to Public Works' Programs Development Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:DC:rm

c: Chief Executive Office (Lari Sheehan)
County Counsel
Executive Office
Office of Affirmative Action Compliance